

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**CASE NO.: 2:09-CR-015
JUDGE SMITH
MAGISTRATE JUDGE ABEL**

JAMES L. WALTER, JR.,

Defendant.

ORDER

On February 13, 2009, the Magistrate Judge issued a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1), recommending that the Court accept Defendant Walter's guilty plea to an Information charging him with being a Postal Service employee and embezzling and unlawful possession of 120 tablets of Hydrocodone 5/Acetaminophen 500 mg from a package sent by the Veterans Administration, in violation of 18 U.S.C. § 1709. Defendant, represented by counsel, waived his right to appear on the matter before a District Judge. The Magistrate Judge conducted the colloquy required by Rule 11(b) of the Federal Rules of Criminal Procedure. Defendant's plea was knowing, voluntary, free from coercion, and had a basis in fact. Defendant was specifically informed of his right to contest the Report and Recommendation by filing any objections within 10 days of the issuance of the Report and Recommendation pursuant to 28 U.S.C. §636(b)(1)(B) and Rule 72(b) of the Federal Rules of Civil Procedure. Defendant did not file any objections.

Accordingly, the Court **ADOPTS** the Report and Recommendation and **ACCEPTS** Defendant's plea of guilty to the Information. Defendant is hereby adjudged guilty on that count.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT